

Defendant, answering the Plaintiff's Complaint, says:

- 1. Paragraphs 1 through 4 are admitted.
- 2. Paragraph 5(a) 5(cc) are admitted.
- 3. Paragraph 6 is denied, except it is admitted that some checks were inadvertently and without criminal intent, written from the Defendant's trust account for otherwise lawful purposes.
- 4. Paragraph 7 is denied, except it is admitted that some checks were inadvertently and without criminal intent, written from the Defendant's trust account for otherwise lawful purposes.
  - 5. Paragraph 8(a) 8(m) is admitted.
  - 6. Paragraphs 9 11 are denied.
  - 7. Paragraph 12 is admitted.
- 8. With respect to Paragraph 13, it is admitted that when some of the checks described in Paragraph 12 were initially written from Defendant's Trust Account, sufficient funds had not been deposited into the account for that particular client, but Defendant made correcting deposits into the account as soon as she became aware that errors had occurred regarding the initial deposits as described in Paragraph 8.
  - 9. Paragraphs 14 and 15 are denied.

10. Defendant generally denies that she used client funds in an illegal, criminal or unprofessional manner and did not violate the Rules of Professional Conduct nor did she engage in any conduct or take any action which reflected adversely on her honesty, trustworthiness, or fitness as a lawyer or constituted dishonesty, fraud, deceit, or misrepresentation in violation of any Rule of Professional Conduct.

This the 17<sup>th</sup> day of February, 2010.

Irving Joyner, Bar # 7830

Attorney for Mildred A. Akachukwu

P.O. Box 374

Cary, North Carolina 27512

Telephone:(919)319-8353

## CERTIFICATE OF SERVICE

The attorney whose signature appears below hereby certifies that a copy of Defendant's Answer to Plaintiff's Complaint was duly served upon the Plaintiff's Attorney by depositing a copy of same in the United States mail, postage prepaid, and addressed as follows:

Attorney Jennifer A. Porter North Carolina State Bar P.O. Box 25908 Raleigh, North Carolina 27611-5908

This the 17<sup>th</sup> day of February, 2010

Irving Jovner